

James A. Greer, II
25 Central Park West, #4B
New York, NY 10023

October 17, 2007

To: Land Use Committee, Community Board 7
Fm: James A. Greer, II
Re: Application of Congregation Shearith Israel (“CSI”)

I am submitting this memorandum in opposition to the captioned application. Until the end of last June, I had lived next door to CSI’s synagogue since 1969 – for 20 years at 91 Central Park West, where I was a director, and then for 18 years at 101 Central Park West, where I was a director and President of the Corporation. I am very familiar with CSI’s ongoing efforts to construct a replacement for its existing community house at 8 West 70th Street. While I have no objection the construction of an as-of-right building on that site, the CSI proposal, as I understand it, is unacceptable for the reasons set forth below.

Preliminarily, I believe this meeting is premature because the application is demonstrably incomplete. An October 12, 2007 letter from the Board of Standards and Appeals lists 23 deficiencies that the Board insists must be corrected before it will even schedule the application for a hearing. CSI reportedly has pressed for this early meeting apparently in an effort to stampede this Committee and, presumably, the Community Board as a whole into making a premature determination about its application. For that reason, I will not comment on the particulars of the application but confine myself to a summary statement of the general principles that form the basis for my belief this application or any likely revision of it should be disapproved.

1. CSI’s proposed application requires 7 variances from the zoning law. Granting them would essentially nullify the provisions of that law relating to mid-block construction - with grave consequences not only for West 70th Street but also for the Upper West Side as a whole and, probably, for the City at large. The precedent that this would create would likely be used to support the current proposal of the New York Historical Society, which is highly controversial. At least as seriously, it would create a precedent for construction of numerous smaller but equally inappropriate buildings by other religious institutions in the immediate vicinity, including but not limited to the following:

First Church of Christ Scientist – 68th Street and Central Park West
Stephen Wise Free Synagogue – West 68th Street between Central Park West and Columbus Avenue
Christ & St. Stephen’s Church – West 69th Street between Columbus Avenue and Broadway
Church of the Blessed Sacrament - West 70th Street

Grace and St. Paul Lutheran Church - West 71st Street

Two brownstone houses occupied by the Catholic Daughters of America and a Buddhist center on West 71st Street

Universalist Church - Central Park West and 76th Street

In addition, there is a row of private schools occupying low-rise, formerly residential buildings on the south side of West 74th Street between Central Park West and Columbus Avenue that could also seek to rely on the precedent that would be created if CSI's requested variances are granted. Using CSI's rationale, any non-profit organization could buy a building anywhere and convert it to commercial use that required numerous variances.

2. CSI's application, while woefully incomplete according the BSA, makes it quite clear that CSI could easily accomplish its mission in an as-of-right building on its chosen site.
3. There is no apparent nexus between CSI's rather vaguely-stated religious mission and its proposal to construct several very large, high-value condominium apartments on top of its proposed new community house, which would either be rented or sold on commercial terms. Indeed, the only apparent purpose for this construction, which would block up a number of apartment windows in 18 West 70th Street, is to generate a large amount of cash for CSI and save it the trouble of asking its members to use their own very substantial resources for that purpose. (When I asked CSI's lawyer some months ago whether CSI could afford to proceed if they couldn't build the condominiums, he said "yes, but they might have to hold a few 'bake sales'.")

Please make this memorandum in opposition part of the record of this meeting.

Respectfully,

/s/ James A. Greer, II

